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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,237	02/02/2004	Stephane Dube	MON157	9608
44088	7590	03/11/2005	EXAMINER	
SEAN KAUFHOLD P. O. BOX 89626 SIOUX FALLS, SD 57109			GRAHAM, GARY K	
			ART UNIT	PAPER NUMBER
			1744	
DATE MAILED: 03/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/769,237	Applicant(s) DUBE, STEPHANE	
	Examiner Gary K Graham	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 6-11 is/are rejected.
- 7) ☒ Claim(s) 3, 4 and 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02022004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 9, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern (US patent 3,378,875) in view of Foster (GB patent 2263057).

The patent to Kern discloses the invention, an automatic window washing system, substantially as claimed (figs. 1,5), including a window squeegee assembly (10) attached to an outer surface of a dwelling which has a window (14) therein. The squeegee assembly has a pair of elongated supports (29,30 and 35,36) attached to the outer surface of the dwelling on either side of the window (14) and an elongated rubber blade (W) is attached to and extends between the supports and has a contacting edge for abutting an outer surface of the window. A driving assembly (26) is coupled to the supports for moving the blade upwardly or downwardly. A horizontal liquid dispenser (47) moves with the blade to dispense liquid on the window via orifices from a liquid supply. Covers (21,22,23) are provided for covering the supports and the upper portion of the window. A trough (24) is provided below the window (14) for catching liquid

released by the liquid dispenser. The covers and trough are considered to be "removable" since they could be removed if so desired.

The patent to Kern discloses all of the above recited subject matter with the exception of the liquid dispenser being attached to the outer surface of the dwelling adjacent to an upper edge of the window and the supports employing pulleys and cables instead of gears and chain.

The patent to Foster discloses a window cleaning system (fig.1) wherein the liquid dispenser is attached to the dwelling adjacent the upper edge of the window and a reservoir is provided in the home or dwelling adjacent to the window to supply the dispenser via a conduit.

While Kern discloses the liquid dispenser moving with the squeegee, it would have been obvious to one of skill in the art to provide the liquid dispenser fixed on the dwelling adjacent the upper edge of the window, as suggested by Foster, to provide less moving parts and thus reduction in the weight to be moved by the drive motor. Such would act to extend to the life of the drive motor, or enable a reduced size motor.

With respect to claim 2, while Kern discloses the use of gears and chain, to substitute pulleys and cable for such would have been obvious to one of skill in the art. Chains, cables, belts, tape, etc are all art recognized equivalent means of transmitting drive force. To employ a different means from that disclosed by Kern would have been an obvious variation of Kern.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern (US patent 3,378,875) in view of Foster (GB patent 2263057) as applied to claim 1 above, and further in view of North (US patent 3,461,476).

The patents to Kern and Foster disclose all of the above recited subject matter with the exception of a valve coupled with the conduit adjacent the reservoir and the reservoir mounted above the window.

The patent to North discloses a window washing system (fig.1) including a valve (104) provided between the reservoir (78) and the liquid dispenser (194). Additionally, it should be noted that the use of valves in fluid systems is well known to enable control of the fluid.

It would have been obvious to one of skill in the art to provide the modified system of Kerns with a valve, between the reservoir and the dispenser, as clearly suggested by North, to enable shut off of the fluid reservoir.

With respect to claim 7, while Foster discusses providing the reservoir within the dwelling, specific placement is not discussed. However, to provide the reservoir above the window would have been obvious to one of skill in the art to reduce pumping requirements for sending the fluid from the reservoir to the dispenser. Mere shifting of the location of the reservoir, including as claimed, would have been within that which one of skill in the art would find obvious by routine experimentation when locating the reservoir.

Allowable Subject Matter

Claim 12 is allowed.

Claims 3, 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

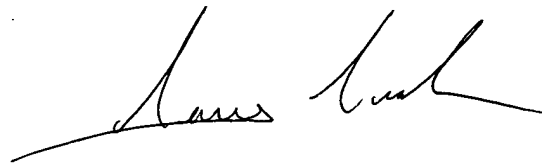
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary K Graham whose telephone number is 571-272-1274. The examiner can normally be reached on Tuesday to Friday (6:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gary K. Graham", with a long horizontal line extending to the left.

Gary K Graham
Primary Examiner
Art Unit 1744

GKG
07 February 2005